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PATENT APPLICATION
Q-87659

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Heinz FOCKE, et al.

Appln. No.: 10/533,240

Group Art Unit: NOT YET KNOWN

Confirmation No.: 7061

Examiner: NOT YET KNOWN

Filed: April 29, 2005

For: HINGE-LID PACKET FOR CIGARETTES

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO/SB/08 A & B (modified) and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

U.S. '842; DE 1017013 and DE 4429670 were previously cited in the German Search Report filed on April 29, 2005.

Applicant is submitting only copies of the IT '022 and GB '206 references. In accordance with 37 C.F.R. § 1.98(a)(2)(i), the undersigned is not submitting copies of the newly cited U.S. patents.

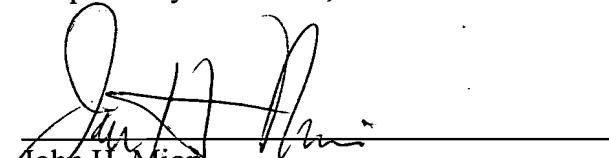
INFORMATION DISCLOSURE STATEMENT...
U.S. APPLN. NO. 10/533,240

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

Applicant encloses a copy of an Opposition letter filed by TORTA Research S.r.l. in the EPO on September 13, 2005 (for Applicant's counterpart European patent application) and containing TORTA's explanation of relevance of IT '022, citing the listed documents.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



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23373
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Date: November 28, 2005

Substitute for form 1449 A & B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	10/533,240
		Confirmation Number	7061
		Filing Date	April 29, 2005
		First Named Inventor	Heinz FOCKE et al
		Art Unit	NOT YET KNOWN
		Examiner Name	NOT YET KNOWN
Sheet	1	of	1
		Attorney Docket Number	
		Q-87659	

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 5,833,060			
		US 4,753,383			
		US 2003/047471			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Signature _____ **Date Considered** _____

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is indicate here if English language Translation is attached.